

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 08/06/2012
POSITION: Neutral

BILL NUMBER: AB 1505
AUTHOR: Pan, Richard

BILL SUMMARY: Department of Veterans Affairs: veterans' benefits.

This bill would require the state to provide veterans benefits to discharged veterans who were denied benefits solely on the basis of sexual orientation if the federal government acts to reinstate benefits to those discharged veterans. This bill would also require the California Department of Veterans Affairs (CDVA) to provide information relating to veterans' legal services organizations that specialize in military discharge upgrades.

FISCAL SUMMARY

This bill would have no fiscal impact to the state. The CDVA indicates that all veterans who have a discharge status other than dishonorable receive state veterans benefits. If a veteran's status was upgraded from dishonorably discharged, the veteran would already be able to qualify for state veterans benefits.

COMMENTS

The Department of Finance is neutral on this bill. This bill would require the CDVA to direct veterans, who have been dishonorably discharged from the Armed Forces of the United States solely on the basis of sexual orientation, to resources that can assist them to have their military discharge status upgraded.

Current law:

- Provides federal and state benefits to veterans of the Armed Forces of the United States, as specified.
- Excludes those who have been dishonorably discharged from receiving federal and state veterans benefits.

This bill would:

- State that it is the intent of the Legislature to extend fair and equal treatment with regard to the administration of veterans' services and programs to California's veteran population regardless of sexual orientation and that it is the intent of the Legislature to respond to any federal reinstatement of benefits for discharged veterans, regardless of their discharge status, who were denied those benefits because of any federal policy prohibiting homosexual personnel from serving in the United States Armed Forces, by reinstating state-offered benefits for the same veterans.
- Require the State to provide state-offered veterans benefits to those who were denied benefits solely on the basis of sexual orientation pursuant to any federal policy prohibiting homosexual personnel from serving in the Armed Forces of the United States if the federal government acts to those discharged veterans.

Analyst/Principal (0221) J.Carosone	Date	Program Budget Manager Lisa Ann Mangat	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

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COMMENTS (continued)

- Require the CDVA to provide information related to veterans' legal services organizations that specialize in military discharge upgrades on its website and at its offices and walk-in locations.

The CDVA indicates that the state already provides veterans benefits to veterans who have their discharge status upgraded from dishonorable.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					
	LA	(Dollars in Thousands)					
	CO	PROP					Fund
	RV	98	FC	2011-2012	FC	2012-2013	FC 2013-2014 Code
8950/Dept VetsAFF	SO	No	----- No/Minor Fiscal Impact -----				0001